

RESOLUTION NO. 27560

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL TRANSPORTATION ENHANCEMENT PROGRAM FUNDING FOR THE SIXTH STREET BICYCLE AND PEDESTRIAN LINKAGE PROJECT AND COMMITTING THE LOCAL MATCH AND STATING THE ASSURANCE OF THE CITY TO COMPLETE THE PROJECT

WHEREAS, the City of Santa Rosa is submitting an application to the Metropolitan Transportation Commission (MTC) for \$536,000 in funding from the 2010 Regional Transportation Improvement Program (RTIP) for the Sixth Street Bicycle and Pedestrian Linkage project for the MTC 2010 RTIP, as authorized by MTC by Resolution No. 3928; and

WHEREAS, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

WHEREAS, as part of that process, MTC is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to California Government Code Section 14527(b), for inclusion in the RTIP, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

WHEREAS, MTC will review and include, if approved, 2010 RTIP projects in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the RTIP; and

WHEREAS, the City of Santa Rosa is a sponsor of transportation projects eligible for Regional Improvement Program funds which are programmed in the State Transportation Improvement Program; and

WHEREAS, the RTIP Project Programming Request (PPR) form of the project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which the City is requesting that MTC program Regional Improvement Program funds for inclusion in the RTIP; and

WHEREAS, Part 3 of the project application, attached hereto and incorporated herein as though set forth at length, includes the certification by the City of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; and

WHEREAS, as part of the application for 2010 RTIP funding, MTC requires any resolution adopted by the responsible implementing agency to state that the project will comply with the procedures specified in the "Timely Use of Funds Provisions and Deadlines" (MTC Resolution No. 3928).

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Rosa approves the assurances set forth in Part 3 of the project application, attached to this resolution; and

BE IT FURTHER RESOLVED, that Council by adopting this resolution does hereby comply with the provisions and requirements of the "Timely Use of Funds Provisions and Deadlines" (MTC Resolution No. 3928) that the Sixth Street Bicycle and Pedestrian Linkage project will be implemented as described in the complete application and in this resolution and, if approved, for the amount \$536,000 programmed in the MTC federal TIP, and that the City will comply with the requirements as set forth in the 2010 RTIP Policies and Procedures (MTC Resolution No. 3928).

BE IT FURTHER RESOLVED that a project budget is established as Account No. 5076–Sixth Street Undercrossing and that the allocation of \$536,000 be appropriated to the account.

BE IT FURTHER RESOLVED, that the City has reviewed the project and has adequate staffing resources to deliver and complete the project within the schedule set forth in the RTIP Project Programming Request (PPR) form of the project application, attached to this resolution.

BE IT FURTHER RESOLVED, the City is a sponsor of transportation projects eligible for Regional Improvement Program funds which are programmed in the State Transportation Improvement Program.

BE IT FURTHER RESOLVED, that City is authorized to submit an application for State Transportation Improvement Program funds for the Sixth Street Bicycle and Pedestrian Linkage project.

BE IT FURTHER RESOLVED, that there is no legal impediment to the City making applications for Regional Improvement Program funds.

BE IT FURTHER RESOLVED, that there is no pending or threatened litigation which might in any way adversely affect the proposed Sixth Street Bicycle and Pedestrian Linkage project, or the ability of the City to deliver the project.

BE IT FURTHER RESOLVED, that the Council authorizes its City Manager, or designee to execute and file an application with MTC to program Regional Improvement Program funds in the amount of \$536,000 into the RTIP, for the construction of the Sixth Street Bicycle and Pedestrian Linkage project as shown in the attached project application.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of this application.

IN COUNCIL DULY PASSED this 12th day of January, 2010.

AYES: (6) Mayor Gorin, Vice Mayor Wysocky, Councilmembers Bender, Sawyer, Olivares and Vas Dupre

NOES: (0)

ABSENT: (1) Councilmember Jacobi

ABSTAIN: (0)

ATTEST: Susan Stoneman, City Clerk APPROVED: Susan Gorin, Mayor

APPROVED AS TO FORM:
Caroline Fowler, City Attorney